

27 DEC 2005

Re Item V

Reasoned statement with regard to novelty, inventive step and industrial applicability;  
citations and explanations supporting such statement

- 1 Reference is made to the following documents:

D1: DE 101 03 743 A1 (MITEL TELECOM LTD., PORT SKEWETT) 2 August 2001  
(2001-08-02)

D2: EP-A-1 011 278 (SYMBOL TECHNOLOGIES, INC) 21 June 2000 (2000-06-21)

D3: WO 01/67684 A (OPENWAVE TECHNOLOGIES INC.) 13 September 2001  
(2001-09-13)

- 2 The present application does not fulfill the requirements of Article 33(1) PCT because the subject matter of claim 1 is not novel in terms of Article 33(2) PCT.

2.1 Document **D1** discloses (the references in brackets refer to this document), in accordance with the features of **claim 1**, a telecommunications terminal (22, 26, 28) comprising a user interface function for a plurality of telecommunications connections (20-1 to 20-4), with selection means, call signaling means, input means and output means (standard in every telephone and thus implicitly contained) and a local-area radio transceiver (column 2, line 42f. and column 4, line 11 to 14; "*local-area module*") for wireless message traffic (column 2, line 18 to 23; "*mobile network*") permitting the transmission of the telecommunications connection data and outgoing messages to at least one external gateway (20-1 to 20-4) and the receipt of call signals (column 7, line 34f.) and incoming messages (column 7, line 39f.) from said at least one external gateway for establishing at least one of the telecommunications connections (column 8, line 55 to 57).

The subject matter of claim 1 is thus not novel (Article 33(2) PCT) and does not fulfill the requirements of Article 33(1) PCT.

- 2.2 The above argumentation could also have been based on the equally relevant document **D2** or **D3**.
3. The dependent **claims 2 to 12** contain no features which in combination with the features of any claim to which they refer meet the requirements of the PCT with regard to novelty or inventive step. The reasons for this are as follows:

**Claims 2 and 3:**

**D1** shows a complete mobile radiocommunications module (22) which is equipped with a Bluetooth module (column 2, line 42f. and column 4 line 11 to 14).

**Claim 4:**

The use of wireless LAN is an alternative obvious to the person skilled in the art which is implemented e.g. also in **D2** (cf. abstract and paragraph [0020] to [0032]). **D1** also describes Bluetooth only as one of many possible implementations of an HF communications network (column 2, line 38f.)

**Claim 5:**

The use of an address-book memory is considered to be implicitly contained in the terminals disclosed in **D1**.

**Claim 6:**

A PDA (organizer) is mentioned in **D1** (column 4, line 43)

**Claim 7:**

Authentication data is also input in **D1** (column 7, line 7 to 10).

**Claims 8 and 9:**

**D1** shows a plurality of external gateways (20-1 to 20-4), wherein at least one is equipped without input, output or selection means typical to the equipment (20-1 and column 5, line 34 to 40).

**Claim 10:**

While authentication in **D1** is carried out in a mobility control center (column 6, line 8 to 11), implementation in one of the gateways appears to be a configuration detail obvious to the person skilled in the art and consequently adds nothing inventive to the subject matter of claim 1.

**Claim 11:**

Document **D1** describes the establishment of a communications connection upon entry into the radio transmission range (column 4, line 7 to 10). The provision of a threshold discriminator is considered to be an implementation that is obvious and necessary to the person skilled in the art in the establishment of radio connections.

**Claim 12:**

The direct exchange of messages is a function originally described in the Bluetooth standard, said function also being mentioned in **D1** (column 2, line 43 to 47).

4. The subject matter of **claims 1 to 12** is, however, industrially applicable (Article 33(4) PCT).

**Re Item VII**

**Certain defects on the international application**

1. In order to fulfill the requirements of Rule 5.1(a), (ii) PCT, the document **D1** should be cited in the description and the relevant prior art contained therein outlined briefly.
2. The independent claim is not drafted in the two-part form in accordance with Rule 6.3(b) PCT. Here, the features known in connection with one another from the prior art (**D1**) should be summarized in the preamble (Rule 6.3(b)(i) PCT) and the remaining features listed in the characterizing clause (Rule 6.3(b)(ii) PCT).
3. The features of the claims have not been labeled with reference characters set in brackets (Rule 6.2(b) PCT).

**Re Item VIII**

**Certain observations on the international application**

1. The expression used in claim 1 “for establishing at least one of the telecommunications connections” is vague and unclear and leaves the reader uncertain about the significance of the technical feature concerned. The consequence of this is that the definition of the subject matter of this claim is [lacuna] (Article 6 PCT).